

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

SHANNON P. R.,

Plaintiff,

vs.

Civil Action No.
20-CV-1325-MJP

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

ORDER

Plaintiff filed an action seeking judicial review of the decision of the Commissioner of Social Security, which denied his claim for Disability Income Benefits (DIB), pursuant to 42 U.S.C. § 405(g), and made applicable to SSI by 42 U.S.C. § 1383(c)(3). Both parties filed Motions for Judgment on the Pleadings, this Court held oral argument on November 18, 2021.

This Court has reviewed the parties' competing motions together with their respective memoranda of law, and the arguments of Justin D. Jones, Esq. of the Law Offices of Kenneth Hiller, attorney of record for Plaintiff, and Kristina D. Cohn, Esq., Special Assistant United States Attorney for the Western District of New York, attorney of record for Defendant. Now, upon all pleadings, the administrative record, the parties' memoranda of law, and the arguments of the parties,

It is ORDERED and ADJUDGED, for the reasons stated in open Court at the oral argument of this matter on November 18, 2021, pursuant to 28 U.S.C. § 636(c) and the parties' consent, and consistent with this Court's ruling from the bench following oral

argument, the decision of Defendant Commissioner is reversed; and it is further ORDERED and ADJUDGED, that Plaintiff's motion for Judgment on the Pleadings (ECF 14) is granted; and it is further ORDERED and ADJUDGED, that Defendant's motion for Judgment on the Pleadings (ECF 15) is denied; and it is further ORDERED and ADJUDGED that the transcript of the Court's Decision shall be filed, and the Court Clerk shall issue Judgment in favor of the Defendant, remanding the decision for further proceedings, and close this case.

SO ORDERED.



MARK W. PEDERSEN
UNITED STATES MAGISTRATE JUDGE

DATED: November 24, 2021
Rochester, New York